

MINUTES OF THE REGULAR ZONING BOARD OF ADJUSTMENT MEETING OF PISCATAWAY TOWNSHIP HELD ON THURSDAY, SEPTEMBER 8, 2022.

The Regular Meeting of the Piscataway Zoning Board was called to order at 7:30 P.M. online via Zoom, Piscataway, New Jersey, by Chairman Shawn Cahill.

Chairman Cahill stated: IN COMPLIANCE WITH THE OPEN PUBLIC MEETING ACT, ADEQUATE NOTICE OF THIS MEETING WAS PROVIDED IN THE FOLLOWING WAYS:

- *Posted on the bulletin board of the Municipal Building and made available through the Township Clerk;
- *Notice published in the Courier News;
- *Notice sent to The Star Ledger;
- *Notice made available through the Township Librarians.

ROLL CALL:

PRESENT: Shawn Cahill, Kalpesh Patel, Jeff Tillery, Roy O’Reggio, Steven Weisman, Rodney Blount & Artie Hayducka and William Mitterando. **ABSENT:** Waqar Ali.

Also present: James Kinneally, Esq., Henry Hinterstein, John Chadwick, PP and Laura Buckley, Recording Clerk. It was determined that a quorum was present by roll call.

4. PLEDGE OF ALLEGIANCE

Mr. Kinneally states that there are some changes to tonight’s agenda:

11, 22-ZB-62V, Michael Coffelt-Postponed until September 22, 2022, Newspaper only.

12, 22-ZB-63V, Anton & Nikesha Sinckler-Postponed until Sept. 22, 2022-Newspaper only.

- 5. 22-ZB-56V Jim Mosier**
Bulk Variance
Block 6307, Lot 5; Zone: RR-1
121 Wyckoff Avenue
Applicant would like to retain existing shed.

VARIANCES REQUIRED:

- 21-501** Required – 75 foot front yard setback for an accessory structure
Proposed – 59 foot front yard setback for an accessory structure (shed) (existing)

Action to be taken prior to October 6, 2022

Jim Mosier, the applicant, is sworn in to testify on his own behalf. Mr. Mosier states that he would like to retain the existing shed. Mr. Hinterstein states that this is a corner lot and the shed is far back from the property line; no issues. Chairman Cahill asks if the Board has any questions; none. Public portion open/closed.

MOTION was made by Chairman Cahill to approve the application; seconded by Mr. Hayducka. **YES ON THE MOTION:** Shawn Cahill, Steven Weisman, Kalpesh Patel, Jeff Tillery, Roy O’Reggio, Artie Hayducka, Rodney Blount. **NO ON THE MOTION:** None.

- 7. 22-ZB-51V Aminah Lassiter**
Bulk Variance
Block 205, Lot 1.01; Zone: R-7.5
200 Oak Place

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*Applicant would like to retain existing fence and deck; corner lot.

VARIANCES REQUIRED:

- 21-501** Required – minimum lot area 7,500 square feet
Proposed – lot area 6,900 square feet (existing)
- Required – 75 foot lot width
Proposed – 69 foot lot width (Oak Place) (existing)
- Required – 25 foot front yard setback
Proposed – 23.5 foot front yard setback (deck/step) (S. Second Street) (existing)
- Required – 8 foot side yard setback
Proposed – 7.54 foot side yard setback (existing)
- Required – 8 foot side yard setback for an accessory structure
Proposed – 6.7 foot side yard setback for an accessory structure (gazebo) (existing)
- 21-613** Required – 75 foot lot frontage
Proposed – 69 foot lot frontage (Oak Place) (existing)
- 21-619.1** Required – in any residential district, no fence located within the front yard setback line shall exceed 4 feet in height and/or consist of no more than 50 percent solid material
Proposed – a 6 foot, solid fence located along the South Second Street property line (existing)

Action to be taken prior to November 18, 2022

Aminah Lassiter, the applicant, is sworn in to testify on her own behalf. She states that she would like to keep her gazebo, deck fence that has been there for 15 years. She purchased the home back in January. They live right across from an industrial area where there are large trucks that park and a lot of noise and traffic; she would like to keep her fence. Mr. Hinterstein states that this is a unique situation since there is a large industrial presence there. Usually they would recommend the fence be moved back, but in this case the fence is in a good current location. The gazebo and deck are in line with the existing home and has no issues. Public portion open/closed.

MOTION was made by Chairman Cahill to approve the application; seconded by Mr. Patel. **YES ON THE MOTION:** Shawn Cahill, Steven Weisman, Kalpesh Patel, Jeff Tillery, Roy O'Reggio, Artie Hayducka, Rodney Blount. **NO ON THE MOTION:** None.

8. **22-ZB-59V** **Jon Fritz**
Bulk Variance
Block 513, Lot 3; Zone R-10
104 Curtis Avenue
Applicant would like to retain existing shed and construct a 12 foot by 20 foot shed.

VARIANCES REQUIRED:

- 21-501** Required – 8 foot side yard setback for an accessory structure
Proposed – 2 foot side yard setback for an accessory structure (shed)

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Required – 35 foot front yard setback
Proposed – 34.7 foot front yard setback (existing)

21-621 Required – a shed shall not be located within 3 feet from any property line
Proposed – a shed located 2 feet from the rear and side yard property lines

Action to be taken prior to October 19, 2022

Jon & Jackie Fritz, the applicants, are sworn in to testify on their own behalf. Mr. Fritz states that they had an existing shed that the property already had on it. They were married last year and moved in and needed more room so he started building another shed then found out that they need permits. They would like to keep the new shed where he already started building it.

Mr. Hinterstein states that this is a large structure and is only 2 feet from the property line; requires to be 8 feet from the property line. Mr. Fritz states that he wants to keep it in line with the existing shed. The existing shed needs to be three (3) feet from the property line since it is under 100 square feet. Mr. Hinterstein states that the smaller shed that is there can remain at 2 feet from the property line but the shed that is under construction should be moved. They agree on a 5 foot setback from the property line. Public portion open/closed.

MOTION was made by Chairman Cahill to approve the application; seconded by Mr. Hayducka. **YES ON THE MOTION:** Shawn Cahill, Steven Weisman, Kalpesh Patel, Jeff Tillery, Roy O’Reggio, Artie Hayducka, Rodney Blount. **NO ON THE MOTION:** None.

9. **22-ZB-58V** **Ramesh Mehta**
Bulk Variance
Block 510, Lot 30.02; Zone: R-7.5
1422 Greenwood Drive
Applicant would like to install a fence within an easement.

VARIANCES REQUIRED:

21-619.1 Required – no open space, municipal drainage way, right-of-way or easement shall be encroached upon or reduced in any manner
Proposed – a fence located over a sanitary sewer easement

Action to be taken prior to November 21, 2022

Ramesh Mehta, that applicant, is sworn in to testify. Mr. Mehta states that he would like to put up a fence for privacy; the fence is in an easement. Mr. Kinneally states that if the Town has to get to that easement that he is responsible for the removal and replacement of the shed; Mr. Mehta agrees. Public portion open/closed.

MOTION was made by Chairman Cahill to approve the application; seconded by Mr. Weisman. **YES ON THE MOTION:** Shawn Cahill, Steven Weisman, Kalpesh Patel, Jeff Tillery, Roy O’Reggio, Artie Hayducka, Rodney Blount. **NO ON THE MOTION:** None.

10. **22-ZB-57V** **Viren Patel**
Bulk Variance
Block 510, Lot 10.02; Zone: R-7.5
1426 Greenwood Drive
Applicant would like to install a fence within an easement.

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VARIANCES REQUIRED:

- 21-619.1** Required – no open space, municipal drainage way, right-of-way or easement shall be encroached upon or reduced in any manner
Proposed – a fence located over a sanitary sewer easement

Action to be taken prior to November 21, 2022

Viren Patel, the applicant, is sworn in to testify on his own behalf. Mr. Patel states that he, like his neighbor, want to put up a fence in the easement. Mr. Kinneally states that again, like his neighbor, he would be responsible for the removal and replacement of the fence if needed by the Township; Mr. Patel agrees. Public portion closed.

MOTION was made by Chairman Cahill to approve the application; seconded by Mr. Patel. **YES ON THE MOTION:** Shawn Cahill, Steven Weisman, Kalpesh Patel, Jeff Tillery, Roy O'Reggio, Artie Hayducka, Rodney Blount. **NO ON THE MOTION:** None.

13. **22-ZB-67V** **Richard Jones & Cynthia Magno-Jones**
Bulk Variance
Block 2607, Lot 4; Zone: R-10
186 Brewster Avenue

Applicant proposes to retain fence and shed within an easement.

VARIANCES REQUIRED:

- 21-619.1** Required – no open space, municipal drainage way, right-of-way or easement shall be encroached upon or reduced in any manner
Proposed – a fence located over an easement (existing)

Action to be taken prior to December 1, 2022

Mr. & Mrs. Jones, the applicants, are sworn in to testify on their own behalf. Mr. Jones states that the shed and the fence were there when they purchased the home last year; they would just like to keep them where they are. Mr. Hinterstein states that he doesn't see any issues where they are located. Mr. Kinneally states that if the Town needs to gain access, they are responsible for removing and replacing the shed and the fence; they agree. Public portion open/closed.

MOTION was made by Chairman Cahill to approve the application; seconded by Mr. Patel. **YES ON THE MOTION:** Shawn Cahill, Steven Weisman, Kalpesh Patel, Jeff Tillery, Roy O'Reggio, Artie Hayducka, Rodney Blount. **NO ON THE MOTION:** None.

14. **22-ZB-14V** **Murkoth & Mini Vijaya-Sankar**
Bulk Variances
Block 9703, Lot 18; Zone: R-20
19 Saratoga Court

Applicant would like to construct a single story and partial second story addition.

VARIANCES REQUIRED:

- 21-501** Required – minimum lot area 20,000 square feet
Proposed – lot area 16,108 square feet (existing)
Required – 100 foot lot width
Proposed – 88 foot lot width (existing)

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- Required – 150 foot lot depth
Proposed – 111.5 foot lot depth (existing)
Required – 40 foot front yard setback
Proposed – 30.5 foot front yard setback (porch extension)
Required – 30 foot rear yard setback
Proposed – 20 foot rear yard setback (deck/patio) (existing)
- 21-613** Required – 100 foot lot frontage
Proposed – 66.67 foot lot frontage (existing)
- 21-601** Required – no open space, municipal drainage way, right-of-way or easement shall be encroached upon or reduced in any manner
Proposed – fence located over an easement (existing)
- 21-619.1** Required – in any residential district, no fence located within the front yard setback line shall exceed 4 feet in height and/or consist of no more than 50 percent solid material
Proposed – a 6 foot, solid vinyl fence located within the front yard setback line (Morris Avenue) (existing)
- 21-621** Required – no shed shall be constructed within 3 feet from any property line
Proposed – a shed located .5 feet from the side yard property line (existing)

Action to be taken prior to December 3, 2022

Murkoth Vijaya-Sankar, the applicant, is sworn in to testify. Mr. Sankar states that he would like a sunroom, second floor addition and extension. Mr. Hinterstein states that the shed location wasn't accurately depicted on the survey and he believes, as per the aerial, it's skewed. Once corner of the shed is close to the property line, it is a regular size shed and there is a 6' privacy fence, so he has no issues. Mr. Hinterstein states that the only issue was with the front porch variance, the rest are pre-existing.

Mr. Hinterstein states that as long as there is no railing than there is no issue with the application. If its just a slab, there would be no impact and they can look upon it favorably. Mr. Gregory Waga, Architect, Rahway, is sworn in to testify; he is accepted by the Board. There are four pre-existing, non-conforming situations as discussed earlier. The extension of the front porch is just the pad portion; they will not install the railing and put up a landscape alternative as per Mr. Hinterstein's recommendation. Chairman Cahill asks the Board if they have any questions; none. Public portion open/closed.

MOTION was made by Chairman Cahill to approve the application; seconded by Mr. Hayducka. **YES ON THE MOTION:** Shawn Cahill, Steven Weisman, Kalpesh Patel, Jeff Tillery, Roy O'Reggio, Artie Hayducka, Rodney Blount. **NO ON THE MOTION:** None.

15. ADOPTION OF RESOLUTIONS FROM THE REGULAR MEETING OF AUG. 11, 2022:

- (a) **22-ZB-19V, Oladele Osunami; Approved.**
- (b) **22-ZB-48V, Jocelyn Colasuonno; Approved as amended.**
- (c) **22-ZB-55V, Brandi Patterson; Approved.**
- (d) **22-ZB-13V, Craig Mernagh; Approved.**

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- (e) 22-ZB-49V, Cheryl LeBlanc & Francis Prester; Approved.
- (f) 22-ZB-52V, Jocelyn Galdamez; Approved.
- (g) 22-ZB-54V, Alexander Rojas; Approved.
- (f) 22-ZB-60V, DISH Wireless, LLC; Approved.
- (g) 22-ZB-64V, The Wax Studio by Anna, LLC; Approved.
- (h) 22-ZB-11/12V, D. F. Osborne Construction; Approved with conditions.

All in Favor: Mr. Tillery, Mr. O'Reggio, Mr. Blount, Mr. Mitterando, Mr. Weisman

16. ADOPTION OF MINUTES FROM THE REGULAR MEETING OF AUG. 11, 2022.

MOTION was made by Mr. Weisman to adopt the minutes; second by Mr. Tillery

All in Favor: Mr. Tillery, Roy O'Reggio, Rodney Blount, William Mitterando, Vice-Chairman Weisman.

17. ADJOURNMENT

MOTION was made by Chairman Cahill to Adjourn the meeting; second by Mr. Patel.

ALL IN FAVOR: Aye

NEXT SCHEDULED MEETING IS SEPTEMBER 22, 2022 AT 7:30 P.M.

The meeting was adjourned at 8:12 P.M.

Respectfully Submitted,



Laura A. Buckley

Zoning Board Recording Clerk for Shawn Cahill, Secretary

I certify that the foregoing is a true and correct copy of the Minutes from the Regular Meeting of September 8, 2022 same having been fully adopted by the Zoning Board of Adjustment of Piscataway on September 22, 2022.



SHAWN CAHILL, SECRETARY

PISCATAWAY ZONING BOARD OF ADJUSTMENT